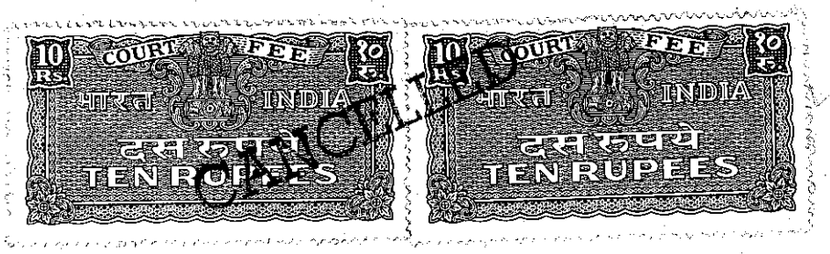

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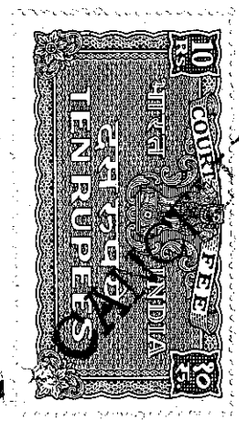

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BIL-ASPUR

W.P.No. 1079 OF 2001

WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF INDIA

Petitioner : Smt Saira Bano W/o Shri Mohammad Alam aged about 31 years Shiksha Karmi Grade-III Primary School Barela (Urdu) R/o Shankar Ward Behind Choti Masjid, Mungeli Tehsil Mungeli, Dist : Bilaspur.

P. R. No. 1054/20
Presented by Shri J. Choudhary
dated 25-6-20

Versus

Respondents :

1. Janpad Panchayat Mungeli Acting through Chief Executive Officer Mungeli Tehsil Mungeli Dist : Bilaspur.

2. District Panchayat Acting through Chief Executive Officer Bilaspur Tehsil & Dist : Bilaspur.

3. State of Chhattisgarh Acting through Collector Bilaspur.

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक W.P. 1079/2001 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

6.9.2001 :

Shri K.A.Ansari for the petitioner.

Shri Gautam Bhaduri for the respondents.

Heard.

The petitioner is aggrieved by the order of termination of her service as Urdu Teacher at Barela Primary School by order dt. 20.6.2001. It may be stated that the petitioner was appointed in 1996 for one academic session as Urdu Teacher from July 1996 to 30.4.97. On completion of single session employment she was given another academic year's appointment for the academic session 1997-98. Thereafter, by an order issued on 18.3.99 the petitioner and several other persons were given appointment as Shiksha Karmi in the scale of pay of Rs. 800 - 20 - 1200 per month. In the said order the name of the writ petitioner appeared at S.No.83. She was given regular appointment as Urdu Teacher at the said school. Thereafter, the impugned order of termination came to be issued by the Chief Executive Officer ,Janpad Panchayat,Mungeli on 20.6.200 terminating the services of the writ petitioner on the ground that when she was initially employed as Shiksha Karmi (as Urdu Teacher) for single session in the year 1996-97 she did not have the requisite qualification. It is contende

[पीछे देखिये

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित ..2..	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

by Shri Bhaduri that her certificate of 10 +2 is not a recognised certificate. Drawing my attention to annexure R-4 annexed to the reply filed in the present case learned counsel for the petitioner submits that the General Administration Department of the Government of M.P. had clearly stated that the educational qualification given by annexure P-5 the qualification awarded by the Jamia Urdu Aligarh is a recognised qualification. In other words the educational qualification obtained by the writ petitioner is a recognised educational qualification. The certificate duly issued by the Said Jamia Urdu Aligarh has been annexed as annexure P-1 in the writ petition. The same was issued by the Registrar of the Jamia Urdu Aligarh. It may be stated that no inquiry whatsoever was initiated to find-out as to whether there was any infirmity in the certificate produced by the writ petitioner. In the light of the letter annexure R-4 to the reply dt. 19.3.96 written by the Deputy Secretary General Administration Department in the name of the Governor this controversy should be laid to rest.

In my view the writ petitioner had adequate qualification to teach Urdu in the said primary school.

In the result, this petition is allowed. The impugned order of termination annexure P-13 dt.20.6.2001 is set-aside. Writ petitioner shall be re-instated forth-

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GRPRJ—FS/311—1/2001—50,000.

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

(51)

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	..3.. आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	with and she shall be treated to have continued in service without any brake. Accordingly she is entitled to receive backwages. Sd/- Chief Justice	